

The Honorable Dan Burton, Chairman
House Government Reform and Oversight Committee
c/o Milt Copulos, House Government Reform and Oversight Committee
Room 2157 RHOB
Washington, DC 20515

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Dear Congressman Burton:

In accordance with the will of Congress as expressed through the passage of the Dietary Supplement Health and Education Act of 1994 in which congress received more mail than on any issue except possible the Vietnam War. And in accordance with the will of Congress as expressed through the act of amending the harmonization language in the Food and Drug administration Modernization Act of 1997, to protect the status of dietary supplements in the United States. And to ensure ongoing American access to this vital category of health-promoting and life-saving products, we urge that you please give serious consideration to holding an oversight hearing in order to inquire how Dr. Beth Yetley of the FDA felt justified in utterly ignoring the will of Congress as specifically stated to her in writing by you, along with Congressmen Paul, Stump, Cook and DeFazio in which you requested that the FDA remove the second paragraph from their Codex comments on agenda item #5, (vitamins and minerals) in which the FDA clearly seeks to harmonize American laws to those of the European Union over your strong objection.

I would like the second paragraph struck entirely from the US Codex comments, and I would like the Risk Assessment document mentioned in that paragraph removed from the Codex program. In addition to violating US law to put it on the table at Codex for discussion, I am disturbed about the gross lack of transparency reflected by the fact that the document was never made available in full for downloading off the web, and by the fact that the FDA lied on video and said that it WAS available in full on the FDA website, a complete lie.

Moreover, I strongly question the constitutionality of the FDA's ANPR which was published in the July 7, 1997 Federal Register, Vol. 62, #129 pp.36243-36248 as the FDA's announced intention to "harmonize" their regulations to emerging Codex standards violates the will of Congress, and is grossly unconstitutional. Please appraise me in writing if and when we can have an oversight hearing on this, as I have no reason to trust the FDA in these matters, and am concerned about any possible interference with my right to access the dietary supplements of my choice.

Signed: Stan Davis

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